

TRANSMITTAL SLIP / NOTE D'ENVOI

To / À DIR (via DDO)		Classification PROTECTED	
CC / CC			
From / De ADE		File / Dossier	
Drafting officer / Rédacteur ADE		CSIS / SCRS	
Subject / Sujet REQUEST FOR MODIFIED BLACKBERRY		Date 2018 07 20	
Action / Donnez suite		JUL 24 2018	
<input type="checkbox"/> Signature <input type="checkbox"/> Comments / Commentaires <input checked="" type="checkbox"/> Approval / approbation <input type="checkbox"/> Information		<input checked="" type="checkbox"/> Routine <input type="checkbox"/> Urgent <input type="checkbox"/> Immediate / Immédiat	
Record of Consultation Rapport de consultation		Deadline / Délai 2018 08 13	
Yes Oui		No Non	
DDO 180724 Director		As part of ongoing evaluation of business needs, Direcotr's approval for the issuance of a modified BlackBerry to is requested.	
CCN: 18-31007		CSIS / SCRS JUL 20 2018 DDO / SDO	

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20178 07 19

TO: DIRECTOR (via DDO)

FROM: ADE

BRIEFING NOTE

SUBJECT: REQUEST FOR MODIFIED BLACKBERRY

BACKGROUND:

The Service's Security policies outline that only those employees who require a prohibited or restricted device (such as a BlackBerry) in order to perform their official duties will be considered for the issuance of a modified device.

As part of ongoing evaluation of business needs, ADE is seeking Director's approval for the issuance of a modified BlackBerry in order to better respond to operational requirements.

DISCUSSION:

Since September 1st, 2016, except for a select number of modified corporate BlackBerrys, corporate BlackBerrys and wireless devices have been prohibited by default within CSIS facilities pursuant to CSE's updated Canadian SIGINT Security Standards (CSSS). Only employees that require a BlackBerry at all times to perform their official duties were issued a modified device, subject to approval from Director.

Since September 2016, the office of the ADE has taken time to review and revisit the business need for carrying a modified device. It is upon this reflection that ADE has reconsidered the values of carrying a modified device and recognizes the benefits to be realized, especially as they relate to responding to operational urgencies as well as in relation to operating and collaborating with partner agencies and departments.

ASSESSMENT:

ADE's role in enabling operations in a timely manner is compromised by not having access to a modified Service BlackBerry. Participation in the exercise reinforced ADE's sentiment that a BlackBerry is a requirement of the position. For ADE to carry a modified BlackBerry has become a necessity in order to provide timely responses to queries from other ADs and DDs, each of whom carries a modified BlackBerry.

Additionally, ADE's ongoing responsibilities related to both the and the see him engaging frequently with other government partners. Being more readily accessible will facilitate work and go towards further maturing relationships.

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20178 07 19

ADE as

RECOMMENDATION:

With the support of DDO, a modified BlackBerry should be issued to part of the performance of official duties.

PREPARED BY:

ADE

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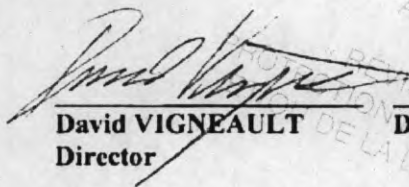
2018 07 17

SUPPORTED:

20180724
Date

DDO

APPROVED BY:


David VIGNEAULT
Director

2018/7/26
Date

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TRANSMITTAL SLIP / NOTE D'ENVOI

To / À Director		Classification UNCLASSIFIED	
From / De ADP		File / Dossier July 23 '18	
Drafting officer / Rédacteur		Date 2018 07 12	
Subject / Sujet Response to the Communications Security Establishment Commissioner			
Action / Donnez suite		Deadline / Délai	
<input type="checkbox"/> Signature <input type="checkbox"/> Comments / Commentaires <input checked="" type="checkbox"/> Approval / Approbation <input type="checkbox"/> Information		CSIS / SCRS JUL 24 2018 30957 DIR	
Record of Consultation/Approval Rapport de consultation/d'approbation		Comments / Commentaires	
Consulted Consulté <input checked="" type="checkbox"/> Chief, <input checked="" type="checkbox"/> DG,		Concurs / D'accord Yes / Oui No / Non <p>Please find enclosed for your review and signature a letter to the Communications Security Establishment Commissioner Jean-Pierre Plouffe in response to his 2018 06 01 letter on the topic of Bill C-59.</p> <p>Commissioner Plouffe has written a letter to propose the development of a protocol to facilitate effective communication, reviews and approvals between the future Intelligence Commissioner (IC), the Minister and CSIS. Commissioner Plouffe also stressed the importance of sharing specific information with the IC to ensure meaningful reviews. Please find a copy of the letter attached for your reference.</p> <p>In response, the attached letter informs Commissioner Plouffe that the Service is currently undertaking consultations with Public Safety Canada regarding the development of classes of Canadian datasets, as well as classes of acts and omissions that would otherwise be unlawful. Additionally, consultations are ongoing regarding the development of templates that will enable the sharing of specific information on both types of classes. The letter also makes a commitment to share a future version of the templates with Commissioner Plouffe.</p> <p>Note that PS and CSE were both consulted on this response, which mirrors CSE's letter to Commissioner Plouffe. A copy of CSE's letter is also enclosed.</p> <p>CSIS / SCRS JUL 23 2018 30957 ADP / DAP</p>	

Canadian Security
Intelligence Service



Director - Directeur

Service canadien du
renseignement de sécurité

The Honourable Jean-Pierre Plouffe, C.D.
Communications Security Establishment Commissioner
Communications Security Establishment
P.O. Box 1474, Station B
Ottawa, Ontario
K1P 5P6

AUG 10 2018

Dear Mr. Plouffe:

Thank you for your letter of June 1, 2018, offering your thoughts on certain activities of CSIS further to Bill C-59, and the anticipated interaction between the Service, the Minister, and the future Intelligence Commissioner (IC). The Service also appreciated the letter your Executive Director sent to our Assistant Director, Policy and Strategic Partnerships on April 10, 2018. OCSEC input is helpful, and raises issues CSIS will need to address as we move forward with the development of our new policies and business processes.

We are continuing our consultations with Public Safety regarding the development of a submission whereby the Service will propose to the Minister classes of Canadian datasets, and classes of acts and omissions that would otherwise be unlawful. The Service is developing templates, outlining the classes and the rationale for their establishment, that will accompany its application to the Minister.

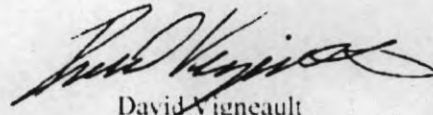
We will be consulting with Public Safety to seek their feedback on the templates; once we have a version that they are comfortable with, we will share it with you for your comments. It is our initial vision that these packages would serve both to allow the Minister to make a determination with regard to the classes, and permit the IC to assess whether the determination of the Minister is reasonable.

You mention in your letter that you are identifying areas where your staff may benefit from training from CSIS. We would be pleased to share our knowledge and experience to further your staff's understanding of how the Service carries out its duties and functions.

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We appreciate your engagement on C-59 implementation, and look forward to continuing to work with your office to develop sound processes that allow the Minister, the IC and the Service to effectively carry out their roles as established by the new legislation.

Sincerely,



David Vigneault

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Communications Security
Establishment Commissioner



Commissaire du Centre de la
sécurité des télécommunications

The Honourable Jean-Pierre Plouffe, CD

L'honorable Jean-Pierre Plouffe, CD

UNCLASSIFIED

June 1, 2018

Mr. David Vigneault
Director of the Canadian Security Intelligence Service
P.O. Box 9732, Station T
Ottawa, Ontario
K1G 4G4

CSIS / SCRS

JUN 04 2018

30621

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Subject: Bill C-59

Dear Mr. Vigneault:

The purpose of this letter is to provide you with my initial thoughts in relation to certain activities of the Canadian Security Intelligence Service (CSIS) under the new provisions of the CSIS Act proposed by Bill C-59, and how I envision the interaction between the future Intelligence Commissioner's (IC) office and the Minister's office on the one hand and, on the other, between the IC's office and your organization. My objective is to facilitate a discussion between us, for the benefit of both organizations. Indeed, as the role of the IC is new, I felt that it was important for me to identify to you, early on, my initial views.

Under those new provisions, the IC will be mandated to review and approve two types of determinations that the Minister of Public Safety will be asked to make, i.e., (1) the designation of classes of Canadian datasets and (2) the designation of classes of acts and omissions that would otherwise constitute offences. The IC will also be playing the same role with respect to ministerial authorizations, unless this authority is delegated by the Minister to you as Director as is permitted by the bill, with respect to the retention of foreign datasets. Finally, the IC will also review authorizations issued by you as Director respecting the querying of a dataset in exigent circumstances.

The IC will need to review the conclusions on the basis of which the determinations and authorizations referred to above will have been made, in order to decide whether he is satisfied that the Minister's, or your, conclusions are reasonable, and if so, to approve these authorizations and determinations. This is a quasi-judicial function that will require the IC to review all the information that was before the Minister, including the information that you will have presented to the Minister in your written application, or that will have been presented to you in the exigent circumstances application. This information will need to satisfy the IC that the statutory requirements and thresholds have been met. We are currently working on defining the thresholds and tests appearing in both the IC Act and the CSIS Act, from the IC's perspective.

P.O. Box/C.P. 1474, Station "B" / Succursale «B»
Ottawa, Ontario K1P 5P6
613-992-3044, Fax: 613-992-4096
info@ocsec-bccst.gc.ca

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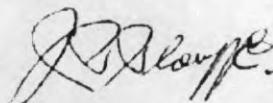
Based on my initial assessment of the applicable provisions in the proposed IC Act and the modified CSIS Act, I am of the view that, in order for the IC to be able to play the significant role as I believe was intended by Parliament, the scope of the applications presented to the Minister, and, in at least one instance, to you, will have to allow for a meaningful review to take place, in that the review process would not lend itself easily to authorizations or determinations that are the result of applications that are too thematic, generic or general, or not supported by the information presented to the decision-maker. The same argument applies to ministerial determinations that would be too thematic, generic or general.

With respect to the IC's office interactions with ministers' offices, in the context of the latter providing the IC with all of the information on which the ministers based a decision to authorize an activity, I believe a clear protocol should be developed. Internal rules of procedure might be drafted in that regard, and shared with you and the Minister's office for consultation purposes. My approach is to ensure that we develop the most effective review and approval process possible. I recognize the challenges of putting in place a process that does not hamper the ability of CSIS to perform its legislated duties and functions in a timely manner, while at the same time ensures that Parliament's intention to have meaningful quasi-judicial oversight is respected.

Finally, we are also identifying areas where the staff of the IC's office may benefit from training from CSIS. We will share the results of this exercise with your officials for their comments.

I know that our officials have had some discussions already and more are planned. I encourage this ongoing dialogue to ensure that the process set out in the relevant proposed Acts is as effective and efficient as possible.

Sincerely,



Jean-Pierre Plouffe

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TRANSMITTAL SLIP / NOTE D'ENVOI

To / À DIR		Classification TOP SECRET CEO							
From / De ADP		File / Dossier							
Drafting officer / Rédacteur		Date 2018 07 31							
Subject / Sujet Briefing material for meeting with the National Security and Intelligence Advisor (2018 08 01)									
Action / Donnez suite <input type="checkbox"/> Signature <input type="checkbox"/> Comments / Commentaires <input checked="" type="checkbox"/> Approval / Approbation <input checked="" type="checkbox"/> Information		Priority / Priorité <input type="checkbox"/> Routine <input type="checkbox"/> Urgent <input checked="" type="checkbox"/> Immediate / Immédiate							
		CSIS / SCRS 2018 07 31 JUL 31 2018							
Record of Consultation/Approval Rapport de consultation/d approbation		Comments / Commentaires							
A/ADP 2018 07 31 CSIS / SCRS 31077 JUL 31 2018 ADP / DAP CSIS / SCRS 31077 JUL 31 2018 3049		<table border="1"> <tr> <th colspan="2">Concur / D'accord</th> </tr> <tr> <th>Yes / Oui</th> <th>No / Non</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table> <p>Please find enclosed copies of briefing materials and key messages on for your discussion with the National Security and Intelligence Advisor on 2018 08 01.</p> <p>In addition to the enclosed, please note that the Service is actively engaged with PCO – Democratic Institutions</p>		Concur / D'accord		Yes / Oui	No / Non	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Yes / Oui	No / Non								
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TOP SECRET

CEO

BRIEFING MATERIALS ON FOREIGN INFLUENCED ACTIVITY AND ESPIONAGE IN CANADA

For Discussion with the National Security and Intelligence Advisor (2018 08 01)

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